

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

Criminal No. 07-50006

DOMINGO RUBIO-CHAVEZ

DEFENDANT

O R D E R

Now on this 12th day of June, 2008, comes on for this Court's consideration Defendant's pro se **Motion to Transfer (Doc. 24)**. The Court, being well and sufficiently advised, finds and orders as follows:

1. On June 21, 2007, the Court sentenced defendant to 151 months imprisonment after he pled guilty to possession with intent to distribute more than 50 grams of methamphetamine.

2. In the motion now before the Court, defendant states that he was subsequently sentenced on state charges to twenty years imprisonment, ordered to run concurrent to his federal sentence. Defendant is currently imprisoned in the Arkansas Department of Correction and he requests this Court to order that he be transferred to the Federal Bureau of Prisons.

3. Defendant lacks standing to challenge his place of imprisonment. See United States v. McCrary, 220 F.3d 868, 870-71 (8th Cir. 2000) (the exercise of jurisdiction over a prisoner subject to both a federal and a state sentence of imprisonment is solely a question to be determined between those two sovereignties, and is not subject to attack by the prisoner).

4. Accordingly, Defendant's **Motion (Doc. 24)** is hereby
DENIED.

IT IS SO ORDERED.

/S/JIMM LARRY HENDREN
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE